

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *Cg* D.C.  
05 DEC 20 PM 4: 43

**ROBERT S. BURCH,**

**Plaintiff  
Counter-Defendant,**

vs.

**Civil Action No. 05-2182-D P**

**GILLIAM COMMUNICATIONS, INC.,  
WLOK RADIO, INC. and  
H.A. GILLIAM, JR.,**

**Defendants  
Counter-Plaintiffs.**

**ORDER DENYING PLAINTIFF'S MOTION TO CERTIFY**

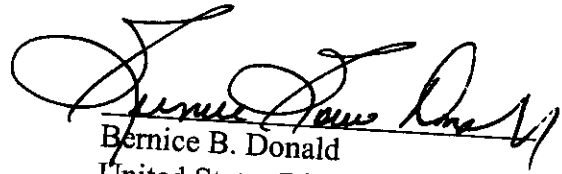
Before this Court is Plaintiff's October 27, 2005 Motion To Certify Questions to the Tennessee Supreme Court. The Court finds that Tennessee has well-established principles to govern the interpretation of employment contracts and that this Court interpreted the Employment Agreement as written, giving the contractual language its usual, natural and ordinary meaning, following well established principles of contract interpretation established by the Tennessee Supreme Court. As the applicable Tennessee precedents are sufficiently clear to allow this Court to resolve the state law issues in this action, the Court finds that Plaintiff's Motion is not well taken and that there is no need to certify Plaintiff's proposed questions to the Tennessee Supreme Court. Plaintiff's

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with Rule 58 and/or 79(a) FRCP on 12/21/05

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Motion is, therefore, denied.

It is so ORDERED this 20 day of December, 2005.



Bernice B. Donald  
United States District Judge



## Notice of Distribution

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Honorable Bernice Donald  
US DISTRICT COURT